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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/765,453	01/26/2004	Kenzou Kassai	4626	8571
21553 75	590 09/09/2004		EXAMINER	
FASSE PATENT ATTORNEYS, P.A.			NELSON JR, MILTON	
P.O. BOX 726 HAMPDEN, N	ИЕ 04444-0726		ART UNIT PAPER NUMBE	
			3636	· - · · · · · · · · · · · · · · · · · ·
			DATE MAILED: 09/09/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/765,453	10/765,453 KASSAI ET AL.				
Office Action Summary	Examiner	Art Unit	h / /			
	Milton Nelson, Jr.	3636	MW)			
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence ad	ldress			
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply of the NO period for reply is specified above, the maximum statutory period we Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	16(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	nely filed s will be considered timel the mailing date of this co D (35 U.S.C. § 133).	y. ommunication.			
Status						
1) Responsive to communication(s) filed on						
2a) This action is FINAL . 2b) ☑ This action is non-final.						
3) Since this application is in condition for allowan	•		e merits is			
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	i3 O.G. 213.				
Disposition of Claims						
4) ☐ Claim(s) 1-4 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-4 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or						
Application Papers						
9) The specification is objected to by the Examiner 10) The drawing(s) filed on 26 January 2004 is/are: Applicant may not request that any objection to the of Replacement drawing sheet(s) including the correction of the original of the control of the original of the origina	a)⊠ accepted or b)⊡ objected drawing(s) be held in abeyance. See on is required if the drawing(s) is obj	e 37 CFR 1.85(a). jected to. See 37 Cl	FR 1.121(d).			
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the prior application from the International Bureau * See the attached detailed Office action for a list of	s have been received. s have been received in Application ity documents have been received (PCT Rule 17.2(a)).	on No ed in this National	Stage			
Attachment(s)	_					
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Notice of Draftsperson's Patent Drawing Review (PTO-948) Notice of Draftsperson's Patent Drawing Review (PTO-948) Notice of References Cited (PTO-892)	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	(PTO-413) ate latent Application (PTC	O-152)			

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information referred to in Applicant's information disclosure statements has been considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In line 8 of claim 1, "the thickness direction" lacks proper antecedent basis. Claims 2-4 are indefinite since each depends from an indefinite claim.

Allowable Subject Matter

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Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 2-4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. A seating device with apertures is shown by each of Hayashi (4413857), Brown (1922228), Liou (5226188), Gardner (7203), EP (0041037), Lebert (3895841), Steere, Jr (3381999), Schuster (3818522), and Watsky (3209380). A seating device with a contoured hinge arrangement is shown by each of Pittman et al (4892356) and Lohmeyer (4856846).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milton Nelson, Jr. whose telephone number is 7033082117. The examiner can normally be reached on Monday-Friday 5:30-3:00.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Application/Control Number: 10/765,453

Art Unit: 3636

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Milton Nelson, Jr. Primary Examiner Art Unit 3636 Page 4

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September 6, 2004